

IN THE UNITED STATES BANKRUPTCY COURT
District of Puerto Rico

In the Matter of:

MARIAM ROSADO ROMAN

Debtor(s)

Case No. **13-02106 BKT**

Chapter 13

MOTION TO AMEND SCHEDULE J AND PLAN

TO THE HONORABLE COURT:

The undersigned, attorney for the above-named debtor, notifies the Court as follows,

1. After the Meeting of Creditors held on 5/15/2013 the trustee objected debtor's plan and requested additional information regarding maturity date of debtor's vehicle. Some time later, secured creditor Doral Mortgage filed a motion requesting the lift of stay of debtor's residential property. Much of the problem with mortgage post-petition problems arose because of the expiration of a temporary agreement between debtor and mortgage creditor reducing monthly payments. Although the agreement terminated by debtor's default, she continued making the reduced payment and this situation caused an accumulation of arrears.
2. In reply to the motion for relief of stay debtor made several post-petition payments, but she was still behind in an amount of \$1,267.76. Therefore, creditor and debtor reached an agreement to include the outstanding arrears in the plan. As the plan monthly payment increased from \$100.00 to \$195.00 and mortgage payments were restored to the original amount of \$335.00, debtor realized that she was unable to cope with these changes in an already tight budget and decided to surrender the vehicle to her uncle, who was the person who originally purchased the vehicle. He accepted the car with the intention to return it to creditor.
3. Debtor amended her plan in order to adjust those items that needed attention like mortgage payment, food, transportation, home maintenance and recreation. After the amendments made debtor will be able to comply with the plan schedule on time and objections by the trustee are moot.

Plan is proposed in two steps of \$100.00 x 7 months plus \$195.00 x 53 months.

4. Schedule B has been amended to delete references to the vehicle that is not in possession of debtor neither belongs to her anymore.

NOTICE

TAKE NOTICE that within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper with amended plan dated 8/7/2013 has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted or decided without actual hearing unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

WHEREFORE, we respectfully request from this Honorable Court to take notice of the informed above and confirm amended plan dated 10/7/2013.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of this motion has been filed with the Clerk of the Court that will send notice to the Chapter 13 trustee José R. Carrión Morales and all parties subscribed to the CM/ECF system. All other non participants have been notified on this date with a copy of the motion by regular mail using the US Postal Service, as per Master Address List attached.

In Vega Baja, Puerto Rico, this day October 7, 2013.

s/ Juan O. Calderon Lithgow
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